

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

July 22, 2005

In Reply Refer To:
CenterPoint Energy – Mississippi River
Transmission Corporation
Docket No. RP05-388-000

CenterPoint Energy – Mississippi River
Transmission Corporation
P. O. Box 21734
Shreveport, LA 71151

Attention: Lawrence O. Thomas, Director of Rate and Regulatory

Reference: Revised Negotiated Rate Provision

Ladies and Gentlemen:

1. On June 22, 2005, CenterPoint Energy – Mississippi River Transmission Corporation (MRT) filed, pursuant to NGA section 4, Second Revised Sheet No. 226C to its FERC Gas Tariff, Third Revised Volume No. 1, to amend a negotiated rate provision at General Terms and Conditions section 19.2. The revised provision will allow MRT the option to file a negotiated rate agreement for Commission review or the tariff sheet currently required for filing under section 19.2. The Commission accepts the revised tariff sheet to become effective July 22, 2005, as discussed below.

2. Public notice of MRT's filing issued on June 27, 2005, with interventions, comments, and protests due as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2004)). Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214 (2004)), all timely filed motions to intervene and any motions to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

3. Recently, in Docket No. RP00-305-023, MRT filed a negotiated rate agreement for interruptible service (the ConocoPhillips contract). MRT filed the negotiated rate agreement only, and not a tariff sheet describing the transaction as required by existing section 19.2. Accordingly, we accepted the contract for filing, subject to MRT filing the

required tariff sheet and filing an explanation of the scheduling priority for the service under the contract. *See CenterPoint Energy – Mississippi River Transmission Corporation*, 111 FERC ¶ 61,443 (2005) (the June 20 Order).

4. In the instant filing, MRT proposes to change section 19.2 to give it the option of filing the negotiated agreement itself, rather than filing a tariff sheet describing the negotiated rate agreement. According to MRT, the tariff change will avoid conflicts between its tariff, Commission policy, and MRT's practice. *Citing Modification of Negotiated Rate Policy*, 104 FERC ¶ 61,134 (2003). MRT separately filed in Docket No. RP00-305-024 to comply with the June 20 Order, which the Commission will address in a separate order.

5. We accept MRT's changes proposed here to its negotiated rate filing requirements as consistent with our precedent in *NorAm*, which requires the pipeline to file either its negotiated rate agreements or tariff sheets reflecting essential contract data. *See NorAm Gas Transmission Co.*, 75 FERC ¶ 61,091 (1996), *order on reh'g*, 77 FERC ¶ 61,011 at 61,037 (1996).

6. The Commission's notice requirements under section 154.207 of the regulations require, in part, the posting of all proposed tariff changes not less than thirty days prior to the pipeline's proposed effective date for the changes. MRT requests the revised tariff sheet become effective July 21, 2005. By application of section 154.207, the revised tariff sheet will become effective July 22, 2005, thirty days after filing.

By direction of the Commission.

Linda Mitry,
Deputy Secretary.

cc: All Parties